

EXHIBIT 11

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
SEAMOUNT INTERNATIONAL	:
ASSOCIATION LTD. AND SCAN TRANS	:
INC. (HOUSTON),	:
 Petitioners,	:
 - against -	:
	:
	: ORDER COMPELLING
	: ARBITRATION
KUEHNE & NAGEL LTDA.,	: <u>PURSUANT TO 9 U.S.C. §4</u>
 Respondents.	:
-----X	

TO THE RESPONDENT NAMED ABOVE:

On July __, 2006, Petitioner Seamount International Association Ltd. ("Seamount") filed a petition to compel arbitration pursuant to Section 4 of the United States Arbitration Act. In that petition, Seamount seeks an order directing Kuehne & Nagel Ltda. ("K&N") to proceed to arbitration of the dispute pending between them in the manner provided by the Booking Note attached to the Affidavit of Nancy R. Peterson accompanying the petition.

In accordance with the briefing schedule set by the Court, Seamount and K&N have submitted motion papers setting forth their respective positions concerning whether the dispute was subject to arbitration.

Having heard the evidence presented, reviewing the papers submitted on this matter, and having considered the argument of counsel and the authorities cited the parties, the Court filed its opinion on this matter on _____. In

summary, the Court is satisfied that the making of the agreement for arbitration and the failure to comply with the agreement is not in issue. Therefore,

IT IS ORDERED that:

1. K&N proceed to arbitration of the disputes set forth in the petition in New York, within the arbitration action initiated by K&N on March 24, 2005, in the manner provided by the written agreement between them, particularly Rider Clause 38 of the Booking Note; and
2. K&N proceed to arbitration before Mr. David Martowski as previously agreed by the parties;
3. Seamount, the Petitioner, recover from K&N, the Respondent, the legal fees and costs incurred in preparing the petition to compel arbitration and accompanying documents, and attending the hearing to argue the merits thereof.

Dated: July __, 2006

U.S.D.J.